

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**HECTOR CLAUDIO, et al. on behalf of
themselves and all others similarly situated,**

Plaintiffs

v.

**SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY**

Defendant

CIVIL ACTION

15-cv.-05862

FILED

JUN 15 2017

**KATE BARKMAN, Clerk
By _____ Dep. Clerk**

ORDER

AND NOW, this 15th day of JUNE, 2017, upon consideration of Plaintiffs'

Unopposed Motion for Court Approval of Attorney Fees and Expenses, and for good cause shown, the Court makes the following Findings and Conclusions:

1. Plaintiffs in this Fair Labor Standards Act ("FLSA") action---SEPTA bus and trolley operators---sought damages for alleged off-the-clock time spent performing tasks prior to pulling their vehicle out of the depot at the start of the work day. Plaintiffs' claims are more fully set forth in the collective action Complaint, filed on October 28, 2015.
2. SEPTA vigorously contested each of Plaintiffs' claims. However, by way of mediation, the parties were able to negotiate a Settlement Agreement.
3. Plaintiffs now move for Court approval of their attorney fees and expenses.
4. In accordance with the contingent fee agreements each Plaintiff consented to when they joined the case, the attorney fees would be 20% of the Settlement Proceeds of \$1,800,000 (\$360,000). However, in order to enlarge the pool of funds available to compensate Plaintiffs for

their damages, Plaintiffs' Counsel has agreed to a substantially reduced fee of \$150,000, or just 8.3% of the Settlement Proceeds.

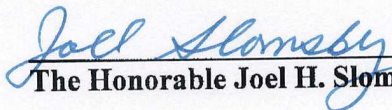
6. In addition, Plaintiffs' move for the allocation of \$55,000 of the Settlement Proceeds to cover Plaintiffs' expenses, including \$45,000 for the services of the Heffler Claims Group, in its role as Third Party Administrator ("TPA").

7. Having found the terms of the Settlement Agreement, the Settlement Proceeds, and the distribution of back pay and liquidated damages to the Plaintiffs to be fair and reasonable, I further find that the requested attorneys' fees of \$150,000 are fair, reasonable and appropriate.

8. Plaintiffs shall also authorize payment out of the Settlement Proceeds in the amount of \$55,000 to pay for the administrative services provided by third parties, including the TPA's effectuation of the notice, payment, and tax withholding provisions of the Settlement Agreement.

Accordingly, it is hereby **ORDERED** and **DECREED** that the Unopposed Motion for Court Approval of Plaintiffs' Attorneys' Fees and Expenses is **GRANTED**.

BY THE COURT:


The Honorable Joel H. Slomsky